

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

JEANNE BULLARD AND BILL BULLARD,
Charging Party

-v-

REICHENBERGER-HOMEOWNER'S
ASSOCIATION, JON STARK, NICOLE
HOLM, BEN PARRISH, KRISTY PARRISH,
DON HOFER, DEBRA HOFER, WILLIAM
HOWE, LISA HOWE, DENNIS KOFFLER,
CAROL STIGEN, KYLE NEWELL AND
LYNDA NEWELL,
Respondent

HRB CASE NOS. 0141016585,
0141016586, 0141016587,
0141016588, 0141016589,
0141016590, 0141016591,
0141016592, 0141016593,
0141016594, 0141016595,
0141016596, 0141016597,
0141016598, 0141016599,
& 0141016600

FINAL AGENCY DECISION

Charging Party, Jeanne Bullard and Bill Bullard (the Bullards), filed a complaint with the Department of Labor and Industry (Department) alleging discrimination in housing on the basis of race and retaliation. Following an informal investigation, the Department determined that a preponderance of the evidence did not support the Bullard's allegations that Respondent, Reichenberger-Homeowner's Association, et.al., discriminated against the Bullards. The Department issued a Notice of Dismissal. The Bullards filed an objection with the Montana Human Rights Commission (Commission). The Commission considered the matter on July 14, 2014. Jeanne and Bill Bullard appeared and argued on their own behalf. Matthew Gallinger and Emily Jones appeared and argued on behalf of Reichenberger-Homeowner's Association, et.al..

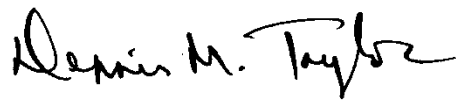
The Commission reviews a decision of the Department to dismiss a complaint using an abuse of discretion standard. *Section 49-2-511(2), MCA*. After careful consideration, the Commission concludes the determination of the Department to dismiss the complaint in this case is not an abuse of discretion.

If a charging party chooses to commence a civil action in district court, the charging party has 90 days after the date this order is issued to file a complaint in district court, in the district where the alleged violation occurred, and seek appropriate relief. *Section 49-2-511(3)(a), MCA.* If a charging party fails to commence a civil action within 90 days, the claims are time barred. *Id.*

Alternatively, a party may ask a district court to review the decision of the Commission to affirm the dismissal of a complaint. *Sections 2-4-702 and 49-2-511(3)(b), MCA.* This review must be requested within 30 days of the date of this order. A party must promptly serve copies of a petition for judicial review upon the Human Rights Commission and all parties of record. *Section 2-4-702(2), MCA.*

IT IS HEREBY ORDERED, that Jeanne Bullard and Bill Bullard's objection is **overruled**. The Commission affirms the determination of the Human Rights Bureau to dismiss the complaint against Reichenberger-Homeowner's Association, et.al.

DATED this 17th day of July, 2014.

A handwritten signature in black ink, reading "Dennis M. Taylor". The signature is fluid and cursive, with the first name "Dennis" and last name "Taylor" clearly legible.

Dennis M. Taylor, Chair
Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned secretary for the Human Rights Commission certifies that a true and correct copy of the foregoing ORDER was mailed to the following by U.S. Mail, postage prepaid, on this 17th day of July, 2014.

JEANNE AND BILL BULLARD
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Annah Smith, Legal Secretary
Montana Human Rights Bureau